

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



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STAFF

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PLANNING COMMISSIONERS

Terry Birt, *Chair*
Mary L. Johnson, *Vice-Chair*
Bob Marshall Jr.
Perry Petersen
Joe Sammut

**CITY OF SAN BRUNO
PLANNING COMMISSION MEETING
MINUTES
COUNCIL CHAMBERS
567 EL CAMINO REAL
August 15, 2000**

CALL TO ORDER / PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:20 p.m. by **Chair Birt**.

ROLL CALL

MEMBERS PRESENT: Commissioner Schindler, Commissioner Petersen, Commissioner Tobin, and Chair Birt

MEMBERS ABSENT: Commissioner Sammut, Commissioner Marshall and Vice-Chair Johnson

STAFF PRESENT:

Planning Division:	George Foscardo, Community Dev. Director
	Steve Padovan, Associate Planner
	Grant Wilson, Associate Planner
	Michael Limaco, Planning Intern
	Tanya Sullins, Recording Secretary
City Attorney:	Jonathan Lowell

1. APPROVAL OF MINUTES - MEETING OF July 18, 2000

Motion Petersen / Second Schindler to approve the minutes as is.

2. COMMUNICATIONS

Community Development Director Foscardo announced the date for the Downtown Meeting on Tuesday, August 22, 2000.

3. PUBLIC COMMENT

None

4. 217 Santa Dominga Avenue - (Tape File 406-A)

Request for a use permit to allow construction of a new addition and reconstructed garage, which would result in a floor area ratio of .68 where .55 is the maximum allowed, a greater than 50% addition to the existing floor area, and a gross living floor area exceeding 2,800 square feet for two covered off-street parking spaces; per Sections 12.200.080.A.3, 12.200.030.B, and 12.200.050.B of the San Bruno Zoning Ordinance - **Hani and Denise Tannous**, applicant/ owner; UP 00-22.

Planning Intern Limaco entered staff report dated August 15, 2000 into the record. A digital photo presentation was provided.

Commissioner Petersen asked what aspect of the application makes an FAR of .68 reasonable. **Planning Intern Limaco** replied that staff feels it is a low impact addition because of the additional parking that will be provided, and the house will visually blend in well with the rest of the neighborhood. **Hani and Denise Tannous** agreed to all the Conditions of Approval. **Commissioner Schindler** complimented the owners on the design of the addition and the changes made to the detached 2 car garage. Neighbor **Rebecca** raised concerns about debris from the site and the hours of construction. Rebecca also asked where the construction vehicles would be parked. **Chair Birt** asked the applicant about the hours of construction. **Owner** replied that all guidelines and rules for construction set forth by the City of San Bruno pertaining to hours of operation will be followed. The owners also stated that the parking of construction vehicles should not be a problem because the contractors will be there during typical working hours, and construction should cease by the time everyone comes home from work. **Chair Birt** asked how long this project would take. **Owner** replied that it depends on the Architect, but it could take anywhere from 3 - 6 months. **Chair Birt** asked staff for the City Construction hours. **Associate Planner Wilson** replied that construction hours are from 7:00 a.m. - 10:00 p.m. Monday through Friday. Weekend hours are from 8:00 a.m. - 8:00 p.m. As long as construction complies with City Ordinances, the neighbors would have to work out any differences amongst themselves. The owner stated that BART construction leaves a large amount of debris that is not being cleaned up. **Chair Birt** asked staff about the protocol of cleaning a job site. **George Foscardo** stated that any difficulties in keeping an area clean is handled privately, but typically there are no problems with debris from construction.

Public Hearing closed.

Commissioner Petersen stated that he raised the issue of FAR because past projects did not involve such high FARs, but he will be in favor of the project because staff has made a good argument for approval. He did want to remind staff that ever increasing FARs can constitute a problem in the future..

Motion Schindler / Second Tobin to approve Use Permit 00-22 subject to the attached Findings for Approval (1-8) and Conditions of Approval (1-13). Approved by unanimous voice vote - **Commissioner Petersen**, **Commissioner Tobin** and **Vice-Chair Johnson** absent.

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, August 5th, 2000 and 68 notices mailed to property owners within 300 feet of the project site on August 4th, 2000.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.

4. This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Existing Facilities; and Class 2, Section 15303: New Construction or Conversion of Small Structures .
5. Request for a use permit to allow construction of a new addition and reconstructed garage, which would result in a floor area ratio of .68 where .55 is the maximum allowed, a greater than 50% addition to the existing floor area, and a gross living floor area exceeding 2,800 square feet for two covered off-street parking spaces will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use because the addition will blend well with the existing home as well as those surrounding, there is adequate parking provided and the use is consistent with surrounding residential uses.
6. The new addition will not be injurious or detrimental to the property, to the improvement of the neighborhood or to the general welfare of the city because the proposal is consistent with the size and scale of the surrounding neighborhood and the design, architecture, and materials will match the existing structure.
7. The proposal for an expanded single-family home is consistent with the San Bruno General Plan which designates the property for low-density residential purposes.
8. This project complies with the adopted Redevelopment Project Area Plan.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 00-22 shall not be valid for any purpose. Use Permit 00-22 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The request for a use permit to allow construction of a new addition and reconstructed garage, which would result in a floor area ratio of .68 where .55 is the maximum allowed, a greater than 50% addition to the existing floor area, and a gross living floor area exceeding 2,800 square feet for two covered off-street parking spaces shall be built according to plans approved by the Planning Commission on August 15, 2000 labeled Exhibit "B," except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Director of Planning and Building.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit.
No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. Inoperable vehicles on the site shall not block the driveway or the entrance into the garage on existing as well as future or proposed driveways.
7. The shed shall be removed to allow for a useable rear yard area.
8. The trees and shrubs on the western side of the property should remain, or similar trees and shrubs should be planted after construction.

9. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for revocation of this permit.
10. Prior to final inspection, the windows, trim, roof material, and exterior finish and color on the addition and existing structure shall match.
11. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
12. Storm water from the new addition and the new garage roof downspout shall be collected and drained to an underground storm water system or through a curb drain to the gutter.
13. Install a new sanitary sewer clean out at the property line per City requirements.

(**Chairperson Birt** advised of the seven day appeal period).

5. 1181 Clark Avenue - (Tape File 406-A)

Request for a use permit and variance to allow the construction of a 484 square foot addition to an existing house that would extend an existing zero side yard setback; would have over 2800 square feet of living area; and would have a floor area ratio of .68 where a maximum of .55 is allowed; per Sections 12.200.080.A.3, 12.200.050, and 12.96.060.D.5 of the San Bruno Zoning Ordinance - **Bob George**, architect; **Leslie** and **Rob Monaghan**, owners; UP-00-20, V-00-04.

Associate Planner Wilson entered staff report dated August 15, 2000, into the record. A digital photo presentation was provided.

Chair Birt asked if the garage size was reduced on the original application. **Associate Planner Wilson** stated that it was reduced almost the same amount

Public Hearing opened.

Applicant **Leslie & Rob Monaghan** asked regarding item # 12 of the Conditions of approval why they would be responsible for removing/replacing the curb & gutter. **Associate Planner Wilson** stated that this is a standard condition that **Public Works** include upon reviewing projects. **Leslie** stated that although she is in favor of having the sidewalk repaired, she was not aware their property line went all the way to the sidewalk. **Associate Planner Wilson** stated that the property line does incorporate the sidewalk. **Chair Birt** asked for elaboration on this. **Community Development Director Foscardo** stated that the city workers will repair sidewalks in need of repair because of trees planted by the city, but it is the homeowner's responsibility for the maintenance and upkeep of the sidewalk in front of their property.

Public Hearing closed.

Commissioner Petersen stated that although he is in favor of this addition, he is concerned that a significant number of neighbors would want to do the same type of addition and could result in San Bruno getting very crowded. **Commissioner Tobin** was concerned with the 3rd level deck where the tree is, that would have offered some privacy to the adjacent house. Although the **neighbor** doesn't mind about the addition, the **owner** said that they were going to try to relocate the tree. He believes that the tree should either be moved or replaced there. **Commissioner Tobin** wanted to make it a condition that the **applicant** either try to move or replace the tree. **Owner** stated that he wants the view back that they had in the 60's when the neighbor put a

large addition to their house. They will try to relocate or replace the birch tree. **Commissioner Schindler** suggested that the applicant consult with an arborist prior to removing and replanting this tree, to find out the success rate. Possibly replanting new trees may be the most cost effective way to go about this project. **Commissioner Tobin** wanted to add the condition that the tree should be put in the hands of a professional arborist to find out if it would be moved, and if not, replacing the trees would be acceptable.

Motion Tobin / Second Schindler to approve Use Permit 00-20 subject to the attached Findings of Fact (1-10) and Conditions of Approval (1-14). Approved by unanimous voice vote - **Commissioner Petersen, Commissioner Tobin and Vice-Chair Johnson** absent.

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, August 5, 2000, and 71 notices mailed to property owners within 300 feet of the project site on August 3, 2000.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorical Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the alterations proposed to the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low density residential purposes.
8. The off-street parking will be adequate for the residence because the proposal calls for replacing a non-conforming entrance to a large garage with a two-car garage door.
9. Due to the existing development of the subject property and well as those surrounding, the strict application of this article will deprive the property of privileges enjoyed by other properties in the vicinity and under identical single-family residential zone classification. The subject property proposes a non-conforming side yard setback between the house and east property line, similar to many properties in the surrounding neighborhood. The denial of the proposal which meets the majority of city zoning standards and does not affect surrounding property owners would constitute a significant hardship and deprive the property owner of privileges enjoyed by similar residential properties.
10. The granting of this variance and conditional use permit, as conditioned, does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and in the single-family residential zone district in which the subject property is located. A significant number of lots in the

surrounding area have some form of nonconforming side yard setbacks and the ability to develop their property within the requirements of the Zoning Ordinance is similarly constrained and would justify the granting of a variance.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Variance 00-04 and Use Permit 00-20 shall not be valid for any purpose. Variance 00-04 and Use Permit 00-20 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The **request for a variance and use permit to allow the addition as proposed to an existing two-story dwelling resulting in a substandard side yard setback, high total living area, and large floor area ratio** shall be built according to plans approved by the Planning Commission on August 15, 2000, labeled Exhibit "B," except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
6. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for revocation of this permit.
7. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
8. Sliding doors and windows which are accessible from the ground (or on a balcony) must have lift out resisting hardware and secondary locks.
9. Either move or replace the Birch tree. *(Added per Commissioner Tobin- 08/15/00)*

Department of Public Works - (650) 616-7065

10. Materials and debris shall not be stockpiled within the City right-of-way.
11. Install a sewer cleanout at the property line.
12. The roof spout shall be collected to a drainage system that discharge the storm water thru a curb drain.
13. Remove and replace broken sidewalk, curb, and gutter.
14. Obtain an encroachment permit from the Department of Public Works for any work in the City right-of-way.

(Chairperson Birt advised of the seven day appeal period).

6. 787 East San Bruno Avenue - (Tape File 406-A)

Request for a Use Permit to establish a car rental facility with offices in an existing commercial building with related building and site improvements in the General Commercial (C) Zone District; per Sections 12.96.110.C.9 and 12.108.010 of the San Bruno Zoning Ordinance - **Tom Pendergast/Rent-a-Wreck**, applicant; **Rovini Properties**, owner; UP-99-16.

Associate Planner Padovan stated that the applicant has withdrawn his request.

7. 899 El Camino Real - (Tape File 406 - A & B)

Request for a Use Permit amendment, Architectural Review Permit, and Parking Exception to allow construction of a 100 square foot addition to the existing **Chili's Restaurant** in the Community Office Zoning District where the addition would be visible from the public right-of-way, no additional parking would be provided when two additional spaces are required, and business activities would be altered from those approved by the original use permit; per Sections 12.108.010.A, 12.96.140.C.1, and 12.100.090 of the San Bruno Zoning Ordinance - **Steve Hale** for **Chili's**, applicant/owner; UP 00-19, AR 00-08, & PE 00-04.

Associate Planner Wilson entered staff report dated August 15, 2000 into the record. A digital photo presentation was provided.

Public Hearing opened.

Applicant/Steve Hale was present to answer any questions. **Chair Birt** asked if there would be a staffed window for someone to actually walk up to place their order. **Steve Hale** stated that it will be promoted so that one should call ahead to place their order, but the capability for someone to actually walk up and place their food order is there. It will be to define the two waiting areas so they don't have to walk up to the El Camino entry. **Chair Birt** asked what the hours would be, and **Steve** answered that it would be open during any of the kitchen hours, but they are anticipating that the peak hours would be 11:00 - 1:30 & 4:30 - 7:30. **Commissioner Tobin** requested clarification on the "window". **Steve** answered that there will be a small counter with a cash register, but no exterior window. **Commissioner Tobin** also wanted to know if there is going to be cash and credit card transactions taking place at this take-out counter, he wanted to make sure that the cash register will be limited with cash to reduce any target of theft. **Steve** confirmed that they will be rolling the cash to try to keep under \$50 at a time at the register. **Commissioner Petersen** asked how **Chili's** will make sure re: #7 & if any alcoholic drinks will be served at the window. **Steve** stated that the parking lot would be an operational item, to implement the employees to park in the overflow lot, he realizes that it will be difficult to implement but will try their best. He also stated that no alcoholic drinks will be served from the counter. **Commissioner Schindler** asked if the construction of this take out window would be built in such a way that one would not be able to notice that it is a "new" addition to the current restaurant. **Steve** stated that **Chili's** wants this addition to be recognized as part of **Chili's**, not as if this is a new part of the restaurant. **Chili's** actually has 5 individuals hired exclusively for this purpose.

Public hearing closed.

Motion Tobin / Second Schindler to approve Use Permit 00-19, AR 00-08, & PE 00-04. subject to the attached Findings of Fact (1-10) and Conditions of Approval (1-11). Approved by unanimous voice vote - **Commissioner Petersen, Commissioner Tobin and Vice-Chair Johnson** absent.

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, August 5, 2000, and notice mailed to property owners within 300 feet of the project site on August 3, 2000.

2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorical Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The parking exception (PE-00-04), architectural review permit (AR-00-08), and use permit (UP-00-19) to allow addition of a "to go" window with an additional shortage of two (2) parking spaces for restaurant space in the Community Office District at 899 El Camino Real will not be injurious or detrimental to the property and improvement in the neighborhood or to the general welfare of the city because the use is compatible with existing uses on the property and in the area.
6. The proposed use permit, architectural review permit, and parking exception to operate an addition to the restaurant at 899 El Camino Real will not affect light and air on the property nor other property in the neighborhood, will neither hinder nor discourage the appropriate development and use of land and buildings in the neighborhood, nor impair the value thereof, is consistent with the design and scale of the neighborhood, and the use is compatible with existing uses in the area.
7. If the conditions of approval are met, the general appearance of the property will be in keeping with the character of the surrounding area, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood because the proposed use is recognized as a conditional use in the Community Office Zone.
8. The conditions of approval imposed on this application should provide sufficient control mechanisms to reduce potential negative impacts which may be associated with the proposed restaurant expansion.
9. The proposal is consistent with the San Bruno General Plan which calls for the area to be used for commercial purposes.
10. The accessibility of the off-street public parking areas and the relation of parking areas to traffic on adjacent streets will not create a hazardous or inconvenient condition to adjacent or surrounding uses.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, UP-00-19, AR-00-08, and PE-00-04 shall not be valid for any purpose. These permits shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The addition to Chili's shall be built according to plans approved by the Planning Commission on August 15, 2000, labeled Exhibit "B," except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Director of Planning and Building.
3. The applicant shall obtain a City of San Bruno building permit before construction can proceed.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. A robbery alarm shall be installed at the "to go" counter.

6. Lighting shall be increased to prevent creation of any shadow areas around the addition.
7. Restaurant employees shall park in the overflow parking lots on the north side of Bayhill Drive.
8. The applicant/owner shall provide prompt cleaning/repainting of any graffiti on the building exterior.
9. The applicant shall provide regular cleaning of debris and litter surrounding the building.
10. The applicant and any successor in interest shall agree to operate the restaurant at 899 El Camino Real in the manner as described in the staff report. Any deviation or change in business activities shall require prior authorization by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
11. The restaurant shall participate in the San Bruno Recycling Program.

(**Chairperson Birt** advised of the seven day appeal period).

8. Between 1490 and 1500 Crestwood Drive - (Tape File 405-B)

Request for a Use Permit to install a telecommunications facility consisting of two antennas attached to a 15' pole, an equipment cabinet, 3 equipment panels, and an underground pullbox resulting in a change which would be visible from the public right-of-way; per Sections 12.84.090.D and 12.108.010.A of the San Bruno Zoning Ordinance - **Pacific Bell Wireless/Michael Li**, applicant; **PG&E**, owner; UP 00-21 and AR 00-09.

Planning Intern Limaco entered staff report dated August 15, 2000 into the record. A digital photo presentation was provided.

Chair Birt wanted to confirm that the lot is owned by **PG&E** and asked about the upkeep of the lot. **Planning Intern Limaco** stated that the lot is owned by **PG&E** and they are currently maintaining the property.

Public Hearing opened.

Michael Li, the applicant, was present to answer any questions. He stated that a maintenance crew will go out to the site once a month for landscape and site maintenance. Michael Li said that a Landscape Maintenance Agreement could be created by **PG&E** and **Pacific Bell Wireless** to maintain the entire site. **Chair Birt** approved of this agreement and wanted to add it as a condition.

Public Hearing closed.

Commissioner Tobin noticed that a few cigarette butts were being placed on the site upon a visit, and he inquired if there was anything the City could do to prevent this. **Community Development Director Foscardo** stated that he would not be sure how to go about doing this because it probably involves a small group of individuals who are not aware of what they are doing. The best suggestion would be to maintain the area of weeds to reduce any fire hazards.

Motion Tobin/ Second Schindler to approve Use Permit 00-21, AR 00-09, subject to the attached Findings of Fact (1-7) and Conditions of Approval (1-15). Approved by unanimous voice vote - **Commissioner Petersen, Commissioner Tobin and Vice-Chair Johnson** absent.

FINDINGS OF FACT FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, August 5th, 2000, and notice mailed to property owners within 300 feet of the project site on

August 4th, 2000.

2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. Request for Use Permit 00-21 and Architectural Review Permit 00-09 to install a telecommunications facility consisting of two antennas attached to a pole, an equipment cabinet, 3 service panels, and an underground pullbox resulting in a change which would be visible from the public right-of-way will not be injurious or detrimental to properties and improvements in the neighborhood or to the general welfare of the city because the green facility equipment and the wooden fence enclosure will blend well with the existing landscape and neighborhood.
5. The proposed equipment facility will not unreasonably restrict or interfere with light and air on the property and other properties in the vicinity, will not hinder or discourage the appropriate development and use of the residential uses in the surrounding neighborhood, nor impair the value thereof, and is consistent with the design and scale of the surrounding structures. The new equipment facility should not have any impact on light and air on adjacent properties.
6. The construction of the equipment facility is consistent with the San Bruno General Plan, which allows for accessory structures for communications purposes.
7. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 3, Section 15303: Construction and location of limited numbers of new, small facilities or structures.

CONDITIONS OF APPROVAL:

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed the Use Permit (UP 00-21) and Architectural Review Permit (AR 00-09) shall not be valid for any purpose. The use permit shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one year date.
2. Request for a Use Permit to install a telecommunications facility consisting of two antennas attached to a pole, an equipment cabinet, 3 equipment panels, and an underground pullbox on a concrete pad resulting in a change which would be visible from the public right-of-way between 1490 and 1500 Crestwood Dr. shall be built according to the plans approved by the Planning Commission on August 15, 2000 labeled Exhibit "B" except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.
3. The applicant shall obtain a City building permit before construction can proceed.
4. The new equipment cabinet should be painted environmental green. As of August 15, 2000, the plans indicate a green color for the pole, the antennas and the equipment panels but no indication of the color for the equipment cabinet. All future plans should clearly indicate coloring the equipment cabinet green.

5. The future cabinet proposed on the western section of the site is not permitted for construction under Use Permit 00-21 and Architectural Review Permit 00-09.
6. All future equipment not approved by Use Permit 00-21 and Architectural Review Permit 00-09 is subject to Architectural Review and other relevant hearings if deemed necessary by the City of San Bruno.
7. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.
8. The contractor/Pacific Bell Wireless shall repair any and all damage done to existing facilities including but not limited to the repair of all fencing, landscaping, and structures. Contractor shall contact USA prior to any trenching.
9. Should this facility cease to operate for a period of six months, all appurtenant structures shall be removed by the applicant.
10. No signage shall be placed on or attached to the antennae or accessory equipment.
11. Remove all trash, debris and dead landscaping from the immediate area and maintain the site in a trash and debris free state. No removal of trees or large shrubs are permitted.
12. Remove and replace driveway approach.
13. Remove and replace broken curb and gutter.
14. Provide one 2A:10BC rated fire extinguisher on the job site during construction.
15. A Landscape Maintenance Agreement shall be made by Pacific Bell Wireless and PG&E to maintain the site and the overgrowth of weeds on a regular basis.

(Chairperson Birt advised of the seven day appeal period).

9. Huntington Avenue improvement project (Tape File 406-B)

Staff recommends that the San Bruno Planning Commission certify the Negative Declaration by roll call vote.

Associate Planner Wilson entered staff report.

Jerry Bradshaw from Public Works was available for any questions. **Chair Birt** asked **Mr. Bradshaw** to give a brief description of what will be done on Huntington Avenue. He stated that the city will be able to take advantage of the work that the Bart project is currently doing, and make improvements incorporated with the Bart project. The reason to do this is to make this part of Huntington Avenue a cohesive unit. This will be 2 lanes each way with parking on each side. From 380 South to San Bruno Avenue there will be a raised medium with landscaping, from San Bruno to San Mateo there will be a striped off medium to allow for turning in and out of the local businesses.

Community Development Director Foscardo stated that normally the requirement for construction is to put the roadway back the way it was originally. But in this case the city decided that they would like to make improvements. Bart agreed to allow the city to pay for the difference of what it would be to put the road back the way it originally was.

Approved by unanimous roll call vote - **Commissioner Petersen, Commissioner Tobin and Vice-Chair**

Johnson absent. **Foscardo** advised of the seven day appeal period would also apply to this project.

10. Skyline College Rezoning

Request for a Parcel Map to create a 22 acre parcel at the east end of the Skyline College property bordered by College Drive, the perimeter campus road and the homes off Fasman and Elston Drives and to Rezone the entire Skyline College site including the new parcel from Open Space and Conservation (O) to Single-Family Residential (R-1); per Chapters 12.136 and 12.32 of the San Bruno City Code - **San Mateo Community College District**, applicant and owner - ZC-00-01 and PM-00-01.

Associate Planner Padovan entered the staff report dated August 15, 2000. A digital photo presentation was provided.

Chair Birt asked if 160 units means single family homes or town homes? **Associate Planner Padovan** stated that the general plan specifically states 160 units or up to 8 units per acre. Most likely be developed with single family homes, instead of attached homes, but the attached style homes are allowed. **Chair Birt** asked when an area like this is redeveloped, what about other types of uses such as a store. **Associate Planner Padovan** stated that a portion of the property would have to be redesignated so a commercial location can be put there. **Commissioner Tobin** was looking at the 1984 GP, and wants an updated map because the way that map is marked states that this area is zoned as R-1. **Associate Planner Padovan** stated that the reason why this is at the planning commission was to make the zoning match what it says in the General Plan. Right now it is zoned as open space.

Barbara Christensen, Director of Community and Government Relations with the **San Mateo College District** was present to answer any questions. She stated that it has become necessary for the College District to sell the land, because they are trying to purchase **Pacific Heights Middle School**, to accommodate the overwhelming growth of **Skyline College**. The college understands the community's concerns but this particular application does not grant any development rights, only defines the parcel that the college needs to sell, and bringing the zoning into conformance with the General Plan.

Commissioner Tobin stated that the college district seems to spend their dollars towards the colleges in the south (Canada College & CSM) instead of towards **Skyline College**. **Ms. Christensen** stated that **Skyline College** actually has the newest building in the district, a 10 million public library, and the next project will be a student center. Because of the climate that **Skyline College** is located in, the exterior and interior of the building has had to be refinished and maintained more than any of the other locations. **Commissioner Tobin** also asked about the quarry that was located on the parcel in the 1980's. **Ms. Christensen** stated that she was not aware of any quarry but that the college was excavating some underground tanks on the campus, and dumped the dirt on that parcel. They weren't aware that the dirt would be going there, but agreed with the neighborhood that they would flatten the dirt and plant natural grass. **Commissioner Schinder** asked why the zoning does not comply w/the general plan. **Associate Planner Padovan** stated that the property was zoned prior to 1984 as open space, at that time the General Plan was amended and low density residential was designated for the entire **Skyline College** property. The zoning ordinance was updated in 1986, land use designation was never changed to reflect the General Plan. No one contested this in the 90 day period, and the City did not follow through to change the zoning. So, we are now trying to bring this into compliance with the General Plan. **Community Development Director Foscardo** explained the two documents: The General Plan & The Zoning Ordinance. Under state law, the prevailing document is the General Plan, not the zoning ordinance. **Commissioner Petersen** gave some history on how the General Plan was created in 1984. This was through a series of workshops conducted by the city to obtain input from citizens from every area in San Bruno about were appropriate land uses. At that time, this area was identified as a potential residential area. The expectation was that zoning would be altered once a development proposal was received, but one was not received and was forgotten. **Commissioner Tobin** wanted clarification on the negative declaration, and how it talks about 3 homes on 105 acres. **Associate Planner Padovan** explained that there are actually 3 parcels

and in the R-1 zone you can have 1 unit per lot. So technically, there are 3 lots which could be developed.

(20 minute break)

Open Public Comment

Scott asked where does the 105 acres come into play? Does it not come down to the 22 acre parcel, and how can the college have a public library in a single residence zoning?

Steve replied that the 105 acres is the entire **Skyline College** property. The 22 acres is the part that is being sold, and since schools are a conditional use in an R-1 zone, a public library would be allowed.

Samuel Galstan, Sheryl Drive wants to know about the school board report he has about an RFP that is going to be sent out in 2 weeks. He also referred to the staff report on page C-10, and feels it doesn't make any sense that there would be 3 lots with only 3 homes on it. It also refers to a "seasonal wetland area". Would this wetland area be preserved? He also wanted to clarify that this "seasonal" wetland area has water all year long. On C-13 it states the property in general is in its natural topographical state, with no significant grading. Some years ago contractor's were dumping soil on the property, mixing it with powder. Those mounds are still there. Finally, what does "no impact as a result of this rezoning" mean?

Associate Planner Padovan replied that on C-10, what is meant by 3 homes on the 22 acres is, that in theory there may only be 1 home per lot, and the 105 acres will be split into only 3 lots which would only allow 3 homes. On C-13 it meant that if only 1 house was built on this lot because there should be enough room on a lot with the wetland area to build at least one house, that's what it means by no impact. This proposal does not involve any construction at all. It is strictly the rezoning and creation of a parcel of land. The College district is not going to develop this. They are going to put an RFP (request for proposal) to sell the land, and at that point the person who buys it, assuming that they want to develop homes, have to come forward with a proposal & EIR for potentially 160 units. As for the contractor dumping on the land, the college stated that they leveled the pile out, and corrected the issue. **Chair Birt** asked if an RFP is usually done before the rezoning. **Associate Planner Padovan** replied that they were anticipating this would be finalized by the, and would delay the RFP until everything is finalized.

Carolyn Livingood asked if the negative declaration is only talking about the rezoning. Does it take into consideration anything down the line? **Associate Planner Padovan** replied that's correct. **Ms. Livingood** asked why **Sheryl Drive** is not included in the negative declaration. She wrote a letter to the council and mentioned the springs on the property, and mentioned the quarry operation going on. The college never bothered to inform the neighbors. She stated that **Commissioner Tobin** went out to look at the area, and stopped by her house to take a look at the property, but wanted to know if the rest of the commission also looked at the area. Finally, she wanted to know why there is no mention of the north entrance road in the neg declaration.

Commissioner Petersen stated that if there are any comments from anyone to feel free to write to the council and the planning department. They are frequently referred to. He also agreed that there was a real quarry operation going on, and suggested the college go back and verify this. The past was not a smooth operation for the residents living around the college.

Paul Ramsey was at the meeting where the college proposed the sale a few months ago, and remembers that **Ms. Christensen** stated that the intended use of the acquired school would be staff offices, but earlier this evening she stated that the use was for classrooms. What exactly will the use be for? Regarding the dirt moving, they say they were excavating to move some tanks. Has the dirt been tested? Regarding the biological impact to the plants & animals, the report stated that there was no impact according to the 1984 General Plan. Since then there have been at least 2 endangered species that are potentially using this area for

their habitat? This General Plan is not relevant. He questions the validity of this report. The California Environmental Act states accumulative considerable impacts of currently proposed projects. We know that nobody is going to buy that 22 acre parcel and put one house on it.

Community Development Director Foscardo wanted to remind everyone that we are only dealing with the impacts of a zoning district. It does not allow for any development. The parcel is likewise for one house. When we start talking about biological hazards, endangered species, that all gets done in an environmental impact report (EIR) at the time something is proposed. Right now we are assuming that it will be some sort of single-family detached development. But it does not eliminate someone from proposing something different. 10 years ago we had our scoping meetings, and got all the way to the point of an environmental impact report which covered all the things that have been talked about including cumulative impacts. If we get a development proposal in for that 22 acres that is where we will go. Finally, the question of what is done with the school is up to the college if they purchase it.

Brent Biggs, believes that the city is overdeveloping San Bruno, and read a written prepared statement regarding the animals that will be impacted. **Audrey** is also opposed to the rezoning of this open space. She believes that the negative declaration is not an adequate assessment of the impact on the environment. In section 12 it states "this proposal may result in the rezoning of the Skyline College property from open space to single family residential, allowing for the potential construction of hundreds of homes". She also brought up the endangered species living on this property. She wants the city of San Bruno to request an EIR prior to the rezoning.

Rich Heilman on **Summit Drive** asked why this notice was only sent out to people within 300 feet. Also brought up the fact of the wild animals that live on this property, and the fact that these animals are being forced away because of all of this redevelopment. **Gary Flemming** wants to question the timing for this request for rezoning. He stated that he is aware of the city updating the General Plan. He suggested that the General Plan be updated first and see what the citizens want for that space.

Rob Jonas has recently moved to the City to San Bruno, and moved here because of the natural habitat the city has to offer. Since the land is currently not for sale, has anyone looked in having someone purchase it who is interested in preserving it in its natural state? Is there land on other campus's that could be sold, or other avenues of raising capital without selling this land. Why would we want to change the zoning map when this predates the General Plan. The General Plan should be amended to resolve this discrepancy. He finally wanted to know what the value of the land was as open space versus residential.

Barbara Christensen stated that it is a requirement of the education code that any property needs to be offered to school districts cities, park and rec departments, county housing authority and open space districts. They had 60 days to reply whether or not they were interested in it, and received no real interest. The college actually went to the voters for a 148 million bond measure to renovate and update all 3 colleges, but didn't get the required 2/3's vote. As to the value of the property as open space vs. residential, that would be based on the market.

Norma Pappas asked about the possibility of non profit organizations purchasing the 22 acre parcel. **Rita Fontana** asked about other options for the 22 acres. She stated that there is no more open space in the city.

Closed Public Comment

Commissioner Petersen suggested that the commission wait and not make any decisions tonight. Planning law is relatively complex and clear that the commission and city staff works under. There are also real estate regulations. He wants to remind the public that the zoning ordinance and general plan need to work together. If they don't, it is the planning commissions obligation to make them so they do operate together. If the decision makes the public unhappy it can be appealed to the city council. If the commission votes tonight to approve

this resolution, what they are voting is to recognize is that the zoning ordinance & the general plan are not in agreement. They are not approving to build anything. If the public has any concerns, he suggests to keep an eye on newspapers and the planning process. Bring in any comments, and he has many concerns that if any project is proposed that public comments are available and considered before any decision is made. But this decision tonight is just administrative planning. He plans to vote for the resolution, to put the city rule books in order.

Commissioner Schindler stated that once a developer comes in to purchase the land they will decide at that time if they want to approve or turn down his plan. He also agrees that this rezoning can go ahead.

Commissioner Tobin stated that the general plan is frustrated being out of date. He believes that this area should remain open space. If it was to have any housing he would only allow the 22 acre parcel to be zoned as residential if it is a very limited use like 1 house per acre like it was proposed at the jail site. He will vote against this resolution. **Chair Birt** stated that she feels that when we get ready to do the General Plan is the time to find out what everyone's input is on this land. By rezoning this to R-1 now would take that opportunity away. At this point she can not support the rezoning of this property.

Commissioner Tobin suggested that they wait until the 3 absent commissioners have had time to review the minutes and any tapes to make their motion on this. **Community Development Director Foscardo** stated that this would be acceptable. Also, they are also obligated under the permit streamlining act to act on this matter at some point. Thus it can not be continued until the General Plan is completed, because the permit streamline act will have been violated. It can be continued, and have the city council review it after a decision has been made by the Planning Commission.

Motion Tobin/Second Petersent to continue the rezoning and parcel map to the next meeting to allow the absent commissioners to vote.

Chair Birt wanted to remind the public they have already spoken, and would not be allowed to do so again.

Community Development Director Foscardo confirmed this and stated that this would be only to have a vote by a full commission. He also announced that the next planning commission date would be Tuesday September 19th. **Chair Birt** asked if anyone could write letters. **Community Development Director**

Foscardo stated that the public to remember that this proposal is on the rezoning and parcelization only. Any other matter would be considered at a scoping meeting. He also stated that the comment that the last EIR failed is untrue. Also, there are no Mission Blue Butterflies, because it is impossible for them to live in that habitat because of the winds. There are issues that we know need to be addressed within that scoping meeting. The EIR should take about 6-9 months depending on the project. It will be a long process even once it has reached the point that the property has been sold, a development proposed, and an EIR has begun. On the September 19th continuation meeting there will be no further notices sent out on this issue, however if anyone wants to put their name and address up at the sign in sheet, we will notify them when this goes to the City Council.

SPECIFIC PLAN STUDY SESSION

Associate Planner Padovan gave an update on the draft document from consultant, and currently making some changes to policy statements and objects. And have a draft document by the end of the next couple weeks, and an EIR by the end of the month.

The Navy site is holding an open house on August 24th & 25th to see the property. The latest date for the sale of the property is going to bid/auction at the Marriott in Burlingame is on October 26th. The navy will not be moving out of the site until next year at this time. They are waiting for their new building to be completed in Daly City.

Community Development Director Foscardo added that one of the key land use issues is the specific plan for the Navy Site. This will be an actual amendment to the General Plan. This site and anything that happens right round it with Bart & Tanforan will be very important in updating the General Plan. Just because a General Plan is 16 years old does not make it out of date. Zoning & land uses have been in effect since ever since there has been a General Plan for the City.

CITY STAFF DISCUSSION

Community Development Director Foscardo announced the next Planning Commission meeting will be Tuesday, September 19th, and the next Architectural Review will be on September 14th. **Commissioner Schindler, Chair Birt, and Commissioner Tobin** volunteered to attend the next Architectural Review meeting. **Community Development Director Foscardo** also thanked **Planning Intern Michael Limaco** for his internship since he will be leaving September 8th.

The meeting was adjourned at 10:17 p.m.

George Foscardo
Secretary to the Planning Commission
City of San Bruno

Terry Birt, Chairperson
Planning Commission
City of San Bruno

NEXT MEETING: September 19, 2000

GF/ts